## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Balschmidt et al.

Serial No.: 10/602,456

Group Art Unit: To be assigned

Filed: June 23, 2003

Examiner: To be assigned

For: Use of Dimethyl Sulfone as Isotonicity Agent

## **CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I hereby certify that the attached correspondence comprising:

- 1. Information Disclosure Statement
- 2. Form PTO-1449
- 3. Copy of References (10)

is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

on August 28, 2003

Dolly Kapadia
(name of person mailing paper)

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**PATENT** 

P Attorney Docket No.: 6460.200-US

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## INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

SEP 0 2 2003

In accordance with 37 C.F.R. 1.56, 1.97 and 1.98, Applicants submit herewith references which they believe may be material to the patentability of this application and with respect to which there may be a duty to disclose in accordance with 37 C.F.R. 1.56.

While the references may be "material" under 37 C.F.R. 1.56, it is not intended to constitute an admission that the references are "prior art" unless specifically designated as such.

The filing of this Information Disclosure Statement shall not be construed as a representation that no material references other than those listed exist or that a search has been conducted.

The references are listed in Form PTO-1449 which is in accordance with the requirements of M.P.E.P. 609. A copy of the references is also enclosed.

The references are as follows:

- 1. U.S. Patent no. 4,296,130
- 2. U.S. Patent no. 4,477,469
- 3. U.S. Patent no. 4,514,421

4. U.S. Patent no. 4,559,329

5. U.S. Patent no. 4,568,547

6. U.S. Patent no. 4,616,039

7. U.S. Patent no. 4,863,748

8. U.S. Patent no. 4,973,605

9. Canadian Patent no. CA1319107

10. WO 01/26642

It is respectfully requested that these references be considered by the Patent and Trademark Office in its examination of the above-identified application and be made of record therein. The Examiner is also invited to contact the undersigned if there are any

questions concerning this paper or the attached references.

The information disclosure statement submitted herewith is being filed within three months of the filing date of a national application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, or before the mailing date of a first Office action after the filing of a request for continued examination. Therefore, no fee is due. However, please charge any fees should they be required, to Novo Nordisk Pharmaceuticals, Inc. Deposit Account No.

14-1447.

Date: August 28, 2003

Respectfully submitted

Rosemarie R. Wilk-Orescan, Reg. No. 45,220

Novo Nordisk Pharmaceuticals, Inc.

100 College Road West Princeton, NJ 08540

(609) 987-5800

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PATENT TRADEMARK OFFICE

Sheet 1 of 1 U.S. DEPARTMENT OF COMMERCE Atty. Docket No. 6460.200-US Serial No. 10/602,456 PATENT AND TRADEMARK OFFICE ONFORMATION DISCLOSURE Applicant Balschmidt et al. TATEMENT BY APPLICANT Jse several sheets if necessary) Filing Date June 23, 2003 Group To be assigned U.S. PATENT DOCUMENTS EXAMINER DOCUMENT FILING DATE INITIAL NUMBER DATE NAME CLASS SUBCLASS IF APPROPRIATE 4,296,130 10/20/81 Herschler 424 337 4,477,469 10/16/84 Herschler 424 322 4/30/85 4,514,421 Herschler 514 711 4,559,329 12/17/85 Herschler 514 164 4,568,547 2/4/86 Herschler 772 514 10/7/86 4,616,039 Herschler 514 711 9/5/89 Herschler 72 4,863,748 426 4,973,605 11/27/90 Herschler 708 514 FOREIGN PATENT DOCUMENTS DOCUMENT TRANSLATION NUMBER DATE COUNTRY CLASS SUBCLASS YES NO WO 01/26642 4/19/01 PCT **A2** CA 1319107 6/15/93 Canada OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**EXAMINER** 

DATE CONSIDERED